



General Assembly

January Session, 2005

Raised Bill No. 1159

LCO No. 3822

03822_____AGE

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

***AN ACT CONCERNING THE ESTABLISHMENT OF RATES FOR
NURSING POOL SERVICES PROVIDED TO A LICENSED NURSING
FACILITY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2005*) (a) For purposes of this
2 section:

3 (1) "Nursing facility" means a licensed chronic and convalescent
4 home or a licensed rest home with nursing supervision, which
5 participates in the Medicaid program through a provider agreement
6 with the Department of Social Services; and

7 (2) "Nursing pool" means any person, firm, corporation, limited
8 liability company, partnership or association engaged for a fee in the
9 business of employing and providing health care personnel on a
10 temporary basis to one or more health care institutions, as defined in
11 subsection (c) of section 19a-490 of the general statutes. "Nursing pool"
12 does not include: (A) A licensed health care institution or subsidiary
13 thereof which supplies temporary health care personnel to its own
14 institution only and does not charge a fee to such institution; or (B) an

15 individual who offers only his or her own personal services on a
16 temporary basis.

17 (b) The Commissioner of Social Services shall establish annual rate
18 limits for services provided by a nursing pool to a nursing facility. The
19 commissioner shall determine such annual rate limits by utilizing
20 salary data provided by a nursing facility to the Department of Social
21 Services in such facility's annual cost report. The commissioner may
22 request additional data from a nursing facility, if the commissioner
23 determines that such data is required to accurately determine rate
24 limits for the services provided by a nursing pool. The commissioner
25 shall establish separate annual rates for services provided by
26 registered nurses, licensed pursuant to chapter 378 of the general
27 statutes, licensed practical nurses, licensed pursuant to chapter 378 of
28 the general statutes, and nurse's aides, registered pursuant to chapter
29 378a of the general statutes. The rates established pursuant to this
30 subsection shall be full compensation for services provided by a
31 nursing pool, including any administrative or supervisory duties
32 provided by the nursing pool on behalf of the nursing facility. For the
33 fiscal year ending June 30, 2006, the hourly rate limit for services
34 provided by a nursing pool to a nursing facility shall not exceed: (1)
35 Forty-seven dollars for services provided by a supervising registered
36 nurse, licensed pursuant to chapter 378 of the general statutes, (2)
37 forty-five dollars for services provided by a registered nurse, licensed
38 pursuant to chapter 378 of the general statutes, (3) thirty-eight dollars
39 for services provided by a licensed practical nurse, licensed pursuant
40 to chapter 378 of the general statutes, and (4) twenty-two dollars for
41 services provided by a nurse's aid, registered pursuant to chapter 378a
42 of the general statutes.

43 (c) A nursing pool shall not bill, receive payments from, or propose
44 to provide services to a nursing facility at rates which exceed those
45 prescribed by the commissioner in accordance with subsection (b) of
46 this section. A nursing pool that violates the provisions of this section
47 shall be subject to sanction by the commissioner. A nursing pool

48 aggrieved by a decision of the commissioner made pursuant to the
49 provisions of this section may request a hearing in accordance with the
50 provisions of section 17b-60 of the general statutes.

51 (d) The commissioner shall adopt regulations, in accordance with
52 chapter 54 of the general statutes, for purposes of this section.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2005</i>	New section
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Statement of Purpose:

To require the Commissioner of Social Services to set annual rate limits for services provided by a nursing pool to a nursing facility.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]